IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

UNITED STATES OF AMERICA CRIMINAL NO. G-99-10 (12) VS. CIVIL ACTION NO. G-05-394 LIONEL MOORE

OPINION AND ORDER

Before the Court is a Report and Recommendation from the United States Magistrate Judge dated February 6, 2006, which recommends that the "Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence" of Lionel Moore be denied in its entirety; Moore filed written objections on March 9, 2006.

Upon de novo review, pursuant to 28 U.S.C. § 636(b)(1)(C), the Court finds that the Report and Recommendation of the Magistrate Judge is a well reasoned and correct application of law to the facts and allegations in Moore's Motion and it is, therefore, ACCEPTED by the Court in its entirety and incorporated by reference herein. Moore's objections are without merit and are **REJECTED**.

It is, therefore, the **ORDER** of this Court that, for the reasons set forth by the Magistrate Judge in his Report and Recommendation, the Government's Motion for Summary Judgment (Instrument no. 700) is **GRANTED** and the "Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence" (Instrument no. 696) of Lionel Moore is **DENIED** in its entirety.

DONE at Galveston, Texas, this 21st day of March, 2006.

United States District Judge